

**ASSEMBLY BILL**

**No. 500**

---

---

**Introduced by Assembly Member Diaz**

February 14, 2003

---

---

An act to amend Sections 52055.620 and 52055.630 of the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 500, as introduced, Diaz. High Priority Schools Grant Program for Low Performing Schools.

Existing law establishes the High Priority Schools Grant Program for Low Performing Schools within the Public Schools Accountability Act of 1999 with priority for participation being given to lowest ranked schools. Existing law requires the Superintendent of Public Instruction to allocate \$400 per pupil to participating schools for implementation of their school action plans, as specified.

This bill would require a school district participating in the program to collaborate with teachers and the exclusive bargaining representative of the certificated employees of the district during all phases of developing the action plans in an effort to obtain their meaningful participation.

This bill would, in addition, express the intent of the Legislature to provide and maintain additional funding for the program.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 52055.620 of the Education Code is  
2 amended to read:

3 52055.620. (a) As a condition of the receipt of funds, a  
4 school action plan shall be based upon the following:

5 (1) It shall be based on scientifically based research, effective  
6 practices, and be data ~~driven~~ based.

7 (2) It shall include ongoing data gathering for the purposes of  
8 this program so that progress can be measured and verified and the  
9 plan can be modified based on the data.

10 (3) It shall be grounded in the findings from an initial needs  
11 assessment.

12 (4) It shall evidence a commitment by the school community  
13 to implement the plan. The plan shall describe ~~how~~ *the manner in*  
14 *which* this commitment will be evidenced.

15 (5) It shall make clear that there is a heightening of expectations  
16 on the part of all personnel associated with the schoolsite that all  
17 children can learn and ~~every~~ *each* school can succeed.

18 (6) It shall ensure that ~~at~~ *the schoolsite provides an*  
19 *environment that is conducive to teaching and learning is provided*  
20 *at the schoolsite.*

21 (7) It shall identify additional human, financial, and other  
22 resources available to the school to be used ~~in the implementation~~  
23 ~~of to implement~~ the ~~school~~ action plan.

24 (b) (1) The action plan shall be developed, in partnership with  
25 the school district, by the schoolsite council, as defined in Section  
26 52012, or if the school does not have a schoolsite council, by a  
27 schoolwide advisory group or school support group that conforms  
28 to the requirements of Section 52012 and whose members are  
29 self-selected.

30 (2) Notwithstanding paragraph (1), a school participating in the  
31 Immediate Intervention/Underperforming Schools Program prior  
32 ~~to the effective date of the act adding this section~~ *October 12, 2001,*  
33 may continue using its school action team for purposes of  
34 developing an action plan pursuant to this article.

35 (c) In developing ~~a school~~ *an* action plan, the school and school  
36 district shall use the technical assistance from school district  
37 personnel, county offices of education, universities, a state  
38 approved external evaluator, or any other person or entity that has



1 proven successful expertise specific to the challenges inherent in  
2 low-performing schools. In addition, the school and *school* district  
3 may include an individual to facilitate the activities related to the  
4 development of ~~this~~ *the action plan*.

5 (d) The action plan shall include a strategy, jointly developed  
6 by the school district and the exclusive bargaining representative  
7 of the certificated employees of the district, for addressing the  
8 distribution of experienced credentialed teachers throughout the  
9 district, including an agreement by the district and the exclusive  
10 bargaining representative of the certificated staff on how they ~~are~~  
11 ~~going~~ *plan* to achieve a balance in that distribution. This  
12 collaboration shall take place outside of collective bargaining and  
13 shall strive to develop a strategy that will attract and retain equal  
14 ratios of credentialed teachers at each school in the district. This  
15 collaboration shall include discussions on ways to maximize  
16 current options to recruit credentialed teachers to the district, use  
17 of regional recruitment centers, ensuring that newly hired  
18 credentialed teachers are assigned in alignment with the goal of  
19 even distribution of credentialed teachers, and ensuring that  
20 low-performing schools provide a necessary teaching and learning  
21 environment to retain a fully credentialed teaching staff.

22 (e) The action plan may include ~~any~~ *an existing plan that a*  
23 *school may have developed for another program, that may include*  
24 *existing strategies that meet the requirements of the essential*  
25 *components of a school an action plan specified in Section*  
26 *52055.625.*

27 (f) *The school district shall collaborate with teachers and the*  
28 *exclusive bargaining representative of the certificated employees*  
29 *of the district during all phases of developing the action plan in an*  
30 *effort to obtain their meaningful participation.*

31 SEC. 2. Section 52055.630 of the Education Code is amended  
32 to read:

33 52055.630. (a) Before a school action plan is submitted to the  
34 Superintendent of Public Instruction, the *action plan* shall be  
35 presented at a regularly scheduled public meeting of the governing  
36 board of the school district.

37 (b) ~~In addition to involving the teachers in the development of~~  
38 ~~the action plan, the school district shall certify that it has met and~~  
39 ~~consulted with the exclusive representative of certificated~~  
40 ~~employees on the action plan.~~ *The school district shall certify that*



1 *it has collaborated with teachers and the exclusive representative*  
2 *of its certificated employees during all developmental stages of the*  
3 *action plan pursuant to subdivision (f) of Section 52055.620. The*  
4 governing board of the school district shall approve the *action* plan  
5 and certify that the *action* plan contains all of the essential  
6 components required pursuant to subdivision (a) of Section  
7 52055.625.

8 (c) This program and an action plan for ~~any schools~~ *a school*  
9 participating in the program ~~shall does not be deemed to~~ supersede  
10 conflicting language in the collective bargaining contracts of that  
11 school's district. All matters within the scope of collective  
12 bargaining continue to be subject to it.

13 SEC. 3. It is the intent of the Legislature to provide and  
14 maintain additional funding for the High Priority Schools Grant  
15 Program for Low Performing Schools contained in Article 3.5  
16 (commencing with Section 52055.600) of Chapter 6.1 of Part 28  
17 of the Education Code.

